

A. PROJECT DESCRIPTION

The Medical Care Management and Coordination Branch of the Medi-Cal Operations Division, a program of the California Department of Health Services (DHS), seeks interested, qualified applicants to develop and implement the Assisted Living Waiver Pilot Project (ALWPP), as required by Welfare and Institutions (W&I) Code section 14132.26. Statute requires the DHS to develop a pilot project to test the efficacy of assisted living services as a Medi-Cal benefit. This program would enable low-income, Medi-Cal eligible recipients who might otherwise require in-patient nursing facility services to remain in community settings, such as licensed residential care facilities for the elderly (RCFE) or publicly-funded senior and disabled housing.

W&I Code section 14132.26 requires DHS to develop assisted living as a Medi-Cal benefit, in conjunction with other stakeholders and concerned entities. In order to partially fulfill this requirement, the DHS convened a series of Assisted Living Workgroup sessions in May through August of 2000. The goal of these stakeholder meetings was to discuss a variety of topics pertinent to the Assisted Living Waiver Pilot Project. Program information was presented on a variety of State and federally funded long-term care programs. Some of this program information and a number of publications are made available to applicants in the data library (Appendix 2A) that supports this RFA. A list of organizations represented on the workgroup can also be found in the data library. References to the statutory requirement for working with stakeholders appear later in this RFA.

The successful applicant, in partnership with DHS, shall be responsible for: the development of policy and systems to provide assisted living as a Medi-Cal benefit; research, recommendation and development of a federal waiver application; implementation of the pilot project; oversight of the quality and quantity of waiver services; and, preparations for the evaluation of the pilot project.

The DHS is the single State agency responsible for administration and oversight of the Medi-Cal program. DHS oversees directly, or by interagency agreement, Medi-Cal State Plan services and an array of waivers. Federally approved waivers allow DHS flexibility to serve specific populations with services that are different in scope or duration than Medi-Cal State Plan services. Approved waivers can also allow specific services to be targeted to a limited geographic area of the State. Federal authority for waivers is found in certain sections of the Federal Social Security Act. California's current Home and Community Based Services (HCBS) waivers (under Section 1915(c) of the Social Security Act) include community-based alternatives to nursing facility level of care for a variety of populations, such as the developmentally disabled, those with AIDS, and adult disabled and elderly. None of the current HCBS waivers provide for services in licensed RCFEs. California also has approved waivers under section 1915(b) of the Social Security Act. The Contractor, with DHS approval, will be required to research, recommend and develop a waiver application under either or both sections 1915 (a) and/or 1915(b) of the Social Security Act. The waiver application for the assisted living benefit will be submitted by DHS to the federal Centers for Medicare & Medicaid Services (CMS). CMS approval will be necessary in order to implement the Assisted Living Waiver Pilot Project.

WHAT IS ASSISTED LIVING?

There is no federal or State statutory or regulatory definition of "assisted living". The definition below is based on language from W&I Code section 14132.26 and the Assisted Living Quality Coalition's recommended definition. The Assisted Living Quality Coalition produced a report

entitled Assisted Living Quality Initiative, Building a Structure that Promotes Quality. This document is listed in Appendix 2A along with a number of other resources that discuss assisted living and related long-term health care issues.

After review and analysis, the DHS Assisted Living Workgroup provides the following recommended general description of assisted living:

“Assisted Living services” means a range of supportive personal and health care services, available on a 24-hour basis in a residential setting, to meet resident needs and support resident independence. Assisted living is designed to accommodate individual residents’ changing needs and preferences, allowing residents to remain in the least restrictive and most homelike environment while receiving the personal and health care services necessary to protect their health and well-being. Assisted living promotes resident self-direction and participation in decisions that emphasize choice, dignity, privacy, individuality, independence, and home-like surroundings.

The successful applicant will work with DHS and other stakeholders to develop a definition of the assisted living benefit. A glossary of other terms used in this RFA is included in Appendix 3.

The assisted living benefit shall include:

- Care and supervision activities specified in Section 1569.2 of the Health and Safety Code and Section 87101 of Title 22 of the California Code of Regulations and other health-related services (W&I 14132.26(a)).

The assisted living benefit may include:

- Medicine management, coordination with a primary health care provider, and case management (W&I 14132.26 (c)).

PURPOSE

The purpose of the Assisted Living Waiver Pilot Project is to:

- Test the efficacy of an assisted living benefit under the Medi-Cal program through two service delivery models – licensed RCFEs and publicly funded housing for elderly and disabled persons (W&I 14132.26 (a) through (e)).
- Enable low-income Medi-Cal eligible persons who reside in RCFEs or publicly funded senior and disabled housing projects to age in place when they might otherwise require in-patient nursing facility care (W&I 14132.26 (d)).
- Enable eligible individuals to remain in the least restrictive, most homelike environment while receiving the medical and personal care services necessary to protect their health and well-being. (W&I 14132.26 (c)).

THE TWO-MODEL APPROACH

The pilot project program shall test the Medi-Cal assisted living benefit through two service delivery models. Any combination of small and large publicly funded housing projects and RCFEs may be utilized to provide the assisted living services under this waiver. The successful applicant will work with DHS to identify the pilot project site locations and the providers of services as described in the Scope of Work in this RFA. Under both pilot project models, residents are required to exercise informed choice about participating in the Assisted Living Waiver Pilot Project (W & I 14132.26 (d)(2)).

The licensed RCFE Model: Under this model, an assisted living benefit shall be provided to residents of licensed RCFEs. Facility participation in the program shall be determined by DHS in conjunction with the State Department of Social Services (DSS), Community Care Licensing (CCL) and in accordance with the criteria for participation of RCFEs specified in the waiver. Under this model, the RCFE operator shall be responsible for the provision of services allowed under the assisted living benefit, either directly or through contracts with other provider agencies, as permitted and specified in the waiver. During participation in the waiver program, RCFEs shall comply with all terms and conditions of the waiver (W&I 14132.26 (e)(2)). The assisted living statute provides that the DHS and the DSS, may, as determined necessary and appropriate for facilities providing services to waiver program participants, waive provisions contained in:

- Division 2 (commencing with Section 1200) of the Health and Safety Code (which defines certain health facilities);
- Subdivision (h) of Section 14132.95 of the Welfare and Institutions Code (which defines personal care services under Medi-Cal); and
- Chapter 8 commencing with section 87100 of Division 6 of Title 22 of the California Code of Regulations (which regulates RCFE licensure) (W & I Code 14132.26 (e)(2)).

The Public Housing Model: Under this model, an assisted living benefit shall be provided to residents in publicly funded senior and disabled housing projects. (W&I Code 14132.26 (e)(3)) An independent agency, pursuant to a contract with the DHS, shall be responsible for the provision of case management and other services to eligible individuals, as specified in the waiver. Participating residents reside in their own rental apartments that are publicly subsidized by Housing and Urban Development (HUD) programs or other public funding.

THE TARGET POPULATION

The Assisted Living Waiver Pilot Project is to be located in two to four different geographical locations throughout the State and in multiple facilities. Geographic locations will be called Pilot Project Sites. The successful applicant will be responsible for developing site selection criteria with final approval of sites by DHS.

The Assisted Living Waiver Pilot Project must be a cost neutral (see Glossary, Appendix 3), community-based alternative to in-patient nursing facility care for an eligible population of approximately 500 to 1000 participants. As required by W&I section 14132.26(d)(1), waiver enrollees must meet all of the following requirements:

- Eligible for in-patient nursing facility services at the Skilled Nursing Facility (SNF) or Intermediate Care Facility (ICF) level as those terms are defined under subdivision (c) and (d) of Health and Safety Code section 1250 respectively and pursuant to the criteria set forth in CCR Title 22 sections 51335 and 51334 respectively.
- Assessed by professionals identified in the waiver application to need assistance with functional and instrumental activities of daily living according to criteria also identified and approved in the waiver application.
- Assessed by professionals identified in the waiver application to have a diagnosis and prognosis which establishes a medical need for services based on criteria stated in the waiver application.
- Medi-Cal eligible. (State Medicaid Manual is available at the CMS website and includes information on Medicaid eligibility. The CMS website is listed in Appendix 2B)

B. TENTATIVE TIMELINE

Release RFA	Fri., December 20, 2002
Applicant Questions Due, 4 p.m.	Fri., January 10, 2003
Letter of Intent Due, 4 p.m.	Fri., January 17, 2003
Applications Due, 4 p.m.	Mon., February 10, 2003
Evaluations Completed	Fri., March 7, 2003
Applicant Oral Interviews (by direct invitation only)	Week of March 17, 2003
Notice of Award Posted/Faxed	Mon., March 24, 2003
Contract Start Date	May 1, 2003

C. FUNDING AVAILABILITY/CONTRACT TERM

The term of the contract expected as a result of this RFA is expected to be 36 months and anticipated to be effective from May 1, 2003 through April 30, 2006. However, the contract may include two, one-year optional extensions for time only that DHS may, in its sole discretion, exercise. Therefore, the contract may continue through April 30, 2008, if DHS exercises the two one-year extension periods.

The total amount of the contract for this procurement is expected to be \$980,000.00 and is subject to the availability of State general funds and federal financial participation. If full funding does not become available, DHS will cancel the resulting agreement or amend it to reflect reduced funding.

The resulting contract will be of no force or effect until it is signed by both parties and approved by DHS. The Contractor is hereby advised not to commence performance until all approvals

have been obtained. Should performance commence before all approvals are obtained, said services may be considered to have been volunteered if all approvals have not been obtained.

D. APPLICANT QUESTIONS

Please notify DHS immediately if you need clarification about the services sought or have questions about the RFA instructions or requirements. Put your inquiry in writing and transmit it to DHS as instructed below. At its discretion, DHS reserves the right to contact an inquirer to seek clarification of any inquiry received.

Applicants that fail to report a known or suspected problem with the RFA or fail to seek clarification and/or correction of the RFA shall submit an application at their own risk.

Following the question submission deadline, DHS will summarize all general questions and issues raised and mail or fax the summary and responses to interested parties that contact the DHS as stated in Section F of this document. To the extent practical, inquiries shall remain as submitted. However, DHS may consolidate and/or paraphrase similar or related inquiries.

1. What to include in an inquiry
 - a. Your name, name of your firm, mailing address, area code and telephone number, e-mail address, and fax number.
 - b. A description of the subject or issue in question or discrepancy found.
 - c. RFA section, page number or other information useful in identifying the specific problem or issue in question.
 - d. Remedy sought, if any.
2. Question deadline

Applicants are encouraged to submit written inquiries about this RFA to DHS. However, DHS reserves the right not to accept or respond to written inquiries that may lead to confusion or be deemed inappropriate for response. Regardless of delivery method, written inquiries must be received no later than **4:00 p.m. on Friday, January 10, 2003.**

3. How to submit questions

Submit inquiries using one of the following methods:

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Questions RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement Attn: Lisa Kale 600 North 10 th Street, Room 240C P.O. Box 942732 Sacramento, CA 94234-7320	Questions RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement Attn: Lisa Kale FaxSys: (916) 464-0855 In office: (916) 323-7456

Applicants submitting inquiries by fax are responsible for confirming the receipt of all faxed materials by the question deadline. Call the OMCP at (916) 323-7406 and state that you wish to confirm your faxed transmission.

Applicant warning : DHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If you mail your questions, consider using certified, registered or express mail. This warning also applies if you choose to mail your request for a Data Library appointment, your Letter of Intent, and/or your technical application. Request a receipt confirming the delivery date and the time of delivery of your correspondence/package. If you choose to hand deliver your questions, appointment request, Letter of Intent, and/or your technical application, please allow sufficient time to locate parking and to sign-in at the security desk. See Appendix 5 for driving and parking instructions to the OMCP office.

4. Verbal questions

Because verbal inquiries are easily misinterpreted, you are highly encouraged to submit all inquiries in writing. However, DHS reserves the right not to accept or respond to verbal inquiries that may lead to confusion or be deemed inappropriate for response. **Spontaneous verbal remarks provided in response to verbal inquiries are unofficial and are not binding on DHS unless later confirmed in writing.**

No inference should be drawn from any question DHS does not respond to in writing.

E. DATA LIBRARY/RESOURCES

A Data Library for the sole use of applicants will be established on December 20, 2002. Some elements of the Data Library are available on the Internet. For other materials not available online, the Data Library will be accessible onsite at DHS by appointment only Monday through Friday, from 8 am to Noon and 1 pm to 4 pm, excluding State holidays. Access to the Data Library is restricted to authorized applicants and/or their authorized representatives who have established an advance appointment through the process described below.

1. Authorization Documents

Your organization must have a complete, signed set of Authorization Documents on file with OMCP in order to visit the Data Library. The same company official shall sign all Authorization Documents. Documents required to be on file for access to the Data Library shall include:

- a. Data Library Confidentiality Agreement; and
- b. List of Authorized Personnel

2. Location

DHS will maintain the Data Library at the following location:

Office of Medi-Cal Procurement
600 North Tenth Street, Room 240 C
Sacramento CA 95814

For driving and parking instructions, see Appendix 5.

3. Appointments (Required for access)

After establishing access rights to the Data Library as described above, please make your appointment request and include the following information in your request:

- a. Name
- b. Title
- c. Firm you represent
- d. Telephone number
- e. Fax number
- f. Email address
- g. Desired date of visit (please include alternate dates)
- h. Desired time of visit

Appointments to visit the Data Library are required and may be arranged by contacting Lisa Kale at (916) 323-7406 or through one of the following methods:

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Library Appointment RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement Attn: Lisa Kale 600 North 10 th Street, Room 240C P.O. Box 942732 Sacramento, CA 94234-7320	Library Appointment RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement Attn: Lisa Kale FaxSys: (916) 464-0855 In Office: (916) 323-7456

3. Data Library Contents

The Data Library will contain information and resources that may be of use to applicants in developing their applications. Some elements of the Data Library are available on the Internet. A complete listing of the resources contained in the Data Library or found on the Internet may be found in Appendices 2A and 2B.

Data Library materials may be periodically updated and additional documents may be added. Applicants that have requested access to the Data Library will be notified of the additions and/or changes by way of written notice.

4. Obtaining Copies of Library Materials

Applicants that wish to obtain copies of Data Library materials housed at OMCP may do so by contacting Lisa Kale at (916) 323-7406. Applicants are encouraged to provide their own copying services when possible. DHS will assess photocopying fees at a rate of ten cents per page. A check or money order made payable to the Department of Health Services will be required before materials can be released.

F. LETTER OF INTENT

Prospective applicants are asked to indicate their intention to submit an application in response to this RFA. Failure to submit a Letter of Intent will not affect the acceptance of any application. The Letter of Intent is not binding and prospective applicants are not required to submit an application merely because a Letter of Intent is submitted. Please use the Letter of Intent form (Attachment 9) for this purpose.

The DHS will continue to provide notices (timeline changes, etc.), administrative bulletins (including questions and answers), and addenda about this RFA only to prospective applicants who have provided a Letter of Intent. It is incumbent upon any applicant who has not submitted a Letter of Intent, but intends to bid on this project, to monitor the DHS/OMCP web site at www.dhs.ca.gov/omcp (Click on Assisted Living) for any administrative bulletins and/or addenda to the RFA. An applicant may also call the DHS Office of Medi-Cal Procurement (OMCP) at (916) 323-7406 to request any notices, administrative bulletins and/or addenda to the RFA.

The Letter of Intent must be received by DHS via one of the methods listed below by **4:00 p.m. on Friday, January 17, 2003.**

Submit the Letter of Intent using one of the following methods:

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Letter of Intent RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement Attn: Lisa Kale 600 North 10 th Street, Room 240C P.O. Box 942732 Sacramento, CA 94234-7320	Letter of Intent RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement Attn: Lisa Kale FaxSys: (916) 464-0855 In Office: (916) 323-7456

Applicants transmitting a Letter of Intent by fax are responsible for confirming the receipt of the faxed Letter of Intent by the deadline stated above. Call the OMCP at (916) 323-7406 to confirm receipt of faxed transmissions.

G. SCOPE OF WORK/DELIVERABLES

See Exhibit A entitled "Scope of Work" that is included in the Exhibits section of this RFA. Exhibit A contains a detailed description of the services and work to be performed as a result of this procurement.

The Scope of Work for the proposed Assisted Living Waiver Pilot Project is organized into eight tasks. Each task identifies a set of deliverables that will be required of the successful applicant. Each task is explained by a set of suggested activities.

Each of the eight tasks over-lap and do not necessarily follow a pre-identified sequence. For example, some work on each task might be necessary in order to complete the waiver application, which is a deliverable in Task 1. The Work Plan should reflect the applicant's best time estimate in regard to completing all deliverables.

Note: The tasks in this Scope of Work are stated in such a way as to provide direction to applicants without precluding any one applicant's approach to developing the assisted living benefit. Innovations and enhancements, which are over-and-above the required deliverables, are not precluded from this RFA. However, applicants who do not include all deliverables outlined in Exhibit A will be considered unresponsive and will be disqualified from this RFA competition.

H. QUALIFICATION REQUIREMENTS

Failure to meet the following requirements by the application submission deadline will be grounds for DHS to deem an applicant non-responsive. Evaluators may choose not to thoroughly review or score applications that fail to meet these requirements. In submitting an application, each applicant must certify and prove that it possesses the following qualification requirements.

1. Applicants must have at least three consecutive years of experience in the types listed below. All experience must have occurred within the past five years. It is possible to attain the experience types listed below during the same time period. Applicants must have experience:
 - a. Developing and managing state-level pilot project(s) in California or in other states, which focus on long-term health care and/or publicly funded housing for senior and disabled persons.
 - b. Researching and/or developing programs and benefits which meet Medicaid and/or Medicare requirements.
 - c. Establishing and maintaining contracts and/or agreements with local and State governments.
 - d. Managing project(s) which utilize multiple professionals, for example, administrative staff, clinical staff/consultants, auditors, information technology staff, public relations developers, researchers and others.
 - e. Working with assisted living facilities and publicly funded health care and/or housing provider agencies in a collaborative manner.
 - f. Convening stakeholder forums and workgroups in a variety of cultural and/or socio-economic settings.
 - g. Developing and/or implementing quality assurance and improvement protocols in the health care arena; including consumer quality initiatives.
 - h. Working with other States or federal agencies on reimbursement methodologies for assisted living under Medicaid.

NOTE: State staff resources allocated to the Assisted Living Waiver Pilot Project are extremely limited. Applicants will have no access to State rate-setting, actuary or audit functions during the development, implementation or evaluation stages of the pilot.

2. Applicants must certify that they have read and are willing to comply with all proposed terms and conditions addressed in the RFA section entitled "Contract Terms and Conditions", Section O, including the terms appearing in the referenced contract exhibits.
3. Corporations must certify they are in good standing and qualified to conduct business in California.

4. Non-profit organizations must certify they are eligible to claim nonprofit status.
5. Applicants must have a past record of sound business integrity and a history of being responsive to past contractual obligations.
6. Applicants must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.
7. Conflict of Interest
 - a. The Department of Health Services (DHS) intends to avoid any real or apparent conflicts of interest on the part of the Contractor, subcontractors, or employees, officers and directors of the Contractor or subcontractors. Thus, DHS reserves the right to determine, at its sole discretion, whether any information received from any source indicates the existence of a real or apparent conflict of interest and to require the Contractor to submit a conflict of interest avoidance plan for solving the conflict subject to prior DHS review and approval.
 - b. Conflicts of interest include, but are not limited to:
 - 1) An instance where the applicant/Contractor or any of its subcontractors, or any employee, officer, or director of the applicant/Contractor or any subcontractor is currently involved with or connected to a Medi-Cal provider.
 - 2) An instance where the applicant/Contractor or any of its subcontractors, or any employee, officer, or director of the applicant/Contractor or any subcontractor has an interest, financial or otherwise, whereby the use or disclosure of information obtained while performing services under the contract would allow for private or personal benefit or for any purpose that is contrary to the goals and objectives of the contract.
 - c. Applicants must identify real or apparent conflicts of interest in accordance with Attachment 10 provisions and certify that no prohibited conflict of interest exists.
 - d. Attachment 10 will be incorporated into the contract awarded from this RFA and shall be in effect for the entire term of the contract.
 - e. If a conflict of interest is determined to exist that cannot be resolved to the satisfaction of DHS before the award of the contract, the conflict will be grounds for deeming a proposal nonresponsive.

I. APPLICATION FORMAT AND CONTENT REQUIREMENTS

1. General instructions
 - a. Each firm or individual may submit only one application. For the purposes of this paragraph, "firm" includes a parent corporation of a firm and any other subsidiary of

that parent corporation. If a firm or individual submits more than one application, DHS will reject all applications submitted by that firm or individual.

A firm or individual proposing to act as a prime contractor may be named as a subcontractor in another applicant's application. Similarly, more than one applicant may use the same subcontractors and/or independent consultants.

- b. Develop applications by following all RFA instructions and/or clarifications issued by DHS in the form of question and answer notices, clarification notices, Administrative Bulletins or RFA addenda.
- c. Before submitting your application, seek timely written clarification of any requirements or instructions that you believe to be vague, unclear or that you do not fully understand.
- d. In preparing your application response, all narrative portions should be straightforward, detailed and precise. DHS will determine the responsiveness of an application by its quality, not its volume, packaging or colored displays.
- e. Arrange for the timely delivery of your application package(s) to the address specified in this RFA. Do not wait until shortly before the deadline to submit your application.

2. Format requirements

- a. Submit one (1) original application and five (5) copies or sets, together with the application on one (1) CD Rom.
 - 1) Write "Original" on the original application set.
 - 2) Each application set must be complete with a copy of all required attachments and documentation.
- b. Format the narrative portions of the application as follows:
 - 1) Use one-inch margins at the top, bottom, and both sides.
 - 2) Use a font size of not less than 11 points.
 - 3) Print pages single-sided on white bond paper.
 - 4) Sequentially paginate the pages in each section. It is not necessary to paginate items in the Forms Section or Appendix Section.
- c. Bind each application set in a way that enables easy page removal. Loose leaf or three-ring binders are acceptable.
- d. All RFA attachments that require a signature must be signed in ink, preferably in a color other than black.

- 1) Have a person who is authorized to bind the proposing firm sign each RFA attachment that requires a signature. Signature stamps are not acceptable.
 - 2) Place the originally signed attachments in the application set marked "Original".
 - 3) The RFA attachments and other documentation placed in the extra application sets may reflect photocopied signatures.
- e. Do not mark any portion of your application response, any RFA attachment or other item of required documentation as "Confidential" or "Proprietary". DHS will disregard any language purporting to render all or portions of an application confidential.

3. Content requirements

This section specifies the order and content of each application. Assemble the materials in each application set in the following order:

a. Application Cover Page

A person authorized to bind the applicant must sign the Application Cover Page (Attachment 1). If the applicant is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the Application Cover Page.

b. Applicant Certification

The applicant must submit an Applicant Certification stating that their firm meets the Qualification Requirements as stated in Section H and the services proposed in their application meet the mandatory Scope of Work requirements set forth in Exhibit A. The Applicant Certification must be submitted on the applicant's letterhead and must contain the original signature of the individual identified in the applicant's Cover Letter referenced below that is authorized to bind the applicant.

c. A Cover Letter containing the following:

- 1) The name, mailing address, e-mail address, and telephone and fax numbers of the applicant representative authorized to bind the applicant to the contract resulting from the RFA.
- 2) A complete listing of all services being offered by the applicant for bid in this procurement.
- 3) A statement that the application is complete as submitted.
- 4) A statement acknowledging that all costs associated with the development and submission of an application in response to this RFA are entirely the responsibility of the applicant and will not be chargeable to the State of California or included in any cost elements of the application.

d. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Forms Section and Appendix Section.

e. Executive Summary Section

This section must not exceed three (3) pages in length. Evaluators may not review or evaluate excess pages.

In preparing your Executive Summary, do not simply restate or paraphrase information in this RFA. Describe or demonstrate, in your own words, the following information.

- 1) Your understanding of DHS' needs and the importance of this project.
- 2) The tangible results that you expect to achieve.
- 3) Your firm's sincere commitment to perform the scope of work in an efficient and timely manner and supply the resources necessary to develop and implement the pilot project in a manner that meets the requirements of W & I 14132.26 and as described in Exhibit A of this RFA.
- 4) How you will effectively integrate this project into your firm's current obligations and existing workload.
- 5) Why your firm should be chosen to undertake this work at this time.

f. Agency Capability section

- 1) Include a brief history of your firm, including:
 - a) Date of establishment. If applicable, explain any changes in your business history or organizational structure that will assist DHS in determining your qualifications.
 - b) A description of your firm's goals that are relevant, closely related, or will complement this project.
- 2) Describe the experience that qualifies your firm to undertake this project. At a minimum, demonstrate your firm's possession of three consecutive years of experience of the types listed in Section H. All experience must have occurred within the past five years. It is possible to attain the experience types during the same time period. The applicant must describe how it meets the experience as stated in Qualification Requirements in Section H of the RFA, including experience in developing and implementing home and community based long-term care service delivery and financing models under the Medicaid program.

- 3) Briefly, describe the accounts or work projects begun and/or completed in the past three years that involved services similar in nature or closely related to the Scope of Work in this RFA. For each account or project listed, include the following information:
 - a) Name of agency or firm for whom services were performed,
 - b) Duration or length of the project,
 - c) Total cost or value of the project,
 - d) Indicate if the account or project is “active/open” or “closed/settled”.
 - e) Describe briefly the type and nature of the services you performed.
- 4) Briefly describe any experience that demonstrates your firm’s ability to establish and maintain effective working relationships with government entities and local community based organizations.
- 5) Identify three client references that your firm has serviced in the past five years that can confirm their satisfaction with your services and confirm if your firm provided timely and effective services or deliverables. The references should be from clients who have received consultant services from your organization that are similar to the tasks outlined in this RFA. Use the Applicant Reference Sheet (Attachment 4) for this purpose. Place the completed Applicant Reference Sheet form in the Forms section of your application. DHS may contact your clients for references. See Appendix 4 for a list of questions that may be asked of your clients.

g. Work Plan section

1) Overview

- a) DHS is interested in applications that provide well-organized, comprehensive and technically sound business solutions. Vague explanations will undermine your firm’s credibility and will result in reduced application scores.
- b) The Work Plan must include an in-depth discussion and description of the methods, approaches and step-by-step actions that will be carried out to fulfill all Scope of Work requirements.

If the nature of a task or function hinders specific delineation of in-depth methods and procedures (e.g., a task is dependent upon a future action or multiple approaches may be used), explain the probable methods, approaches or procedures that you will use to accomplish the task or function. Also, describe, in this instance, how you will propose the ultimate strategies and detailed plans to DHS for full consideration and approval before you proceed to carry out the project.

- c) If, for any reason, the Work Plan does not wholly address each Scope of Work requirement, fully explain each omission.

2) DHS rejection of tasks, activities or functions

- a) If full funding does not become available, is reduced, or DHS determines that it does not need all of the services described in this RFA, DHS reserves the right to offer an amended contract for reduced services.

3) Work Plan content

- a) Briefly explain or describe the overall approach and/or methods that you will use to develop and implement the Assisted Living Waiver Pilot Project and each deliverable in the Scope of Work.
- b) Explain why you chose the particular approaches and methods that are proposed in the Work Plan (e.g., proven success or past effectiveness, etc).
- c) If you envision any major complications or delays at any stage of performance, describe those complications or delays and include a proposed strategy for overcoming those issues. Likewise, indicate if you do not anticipate any major complications or delays.
- d) According to the format set forth in Exhibit A, Attachment I, identify the specific tasks/activities and functions that you will perform in the order you believe they will occur. Include the following in-depth information for each task/activity or function in the Work Plan:
 - i. Indicate who will have primary responsibility for performing each major task/activity or function, for example, Contractor, subcontractor, licensed professional, specialist (e.g. auditor, actuary, researcher, etc.).

If the responsible party is unknown or not yet identified, indicate "TBD" which is the abbreviation for "to be determined".

- ii. Include a performance time line for each major task/activity or function. Indicate the approximate beginning and ending month and year. If a task/activity or function will only occur in one fiscal period or year, indicate the beginning and ending month and year.

h. Management Plan section

- 1) Describe how you will effectively coordinate, manage and monitor the efforts of the assigned staff, including subcontractors and/or consultants, if any, to ensure that all tasks, activities and functions are completed effectively and in a timely manner.
- 2) Describe the fiscal accounting processes and budgetary controls you will use to ensure the responsible use and management of contract funds and accurate invoicing. Explain:
 - a) How the costs incurred under this project will be appropriately accounted for and only applicable project expenses will be billed to DHS (e.g., use of unique account/project codes, etc.).

- b) Identify the documentation that you will maintain on file or submit to DHS upon request to prove, support and/or substantiate the expenses that are invoiced to DHS.
- 3) Describe your firm's organizational structure and resources, and those of any subcontractor, which will be utilized to conduct the proposed deliverables of this RFA. Describe areas of expertise that are to be funded under the contract, by your firm or that of a subcontractor, such as actuaries, auditors, policy experts, clinical, research, accounting, information management, administrative, etc.
- 4) Include an organization chart. Instructions are explained in the Appendix section. Place the organization chart in the Appendix section of your application.

i. Program Enhancement section

In this section of the technical application, please describe any enhancements to be supplied by the applicant and/or sub-contractors during the term of the contract that are over-and-above the required deliverables described in Exhibit A of this RFA. The applicant has the option to plan for program innovation and/or enhancements that go beyond the requirements in this RFA, but are coordinated with the goals of the pilot project as described in Exhibit A. DHS will have final approval in determining the extent to which each innovation and/or enhancement is feasible and achievable during the course of the Assisted Living Waiver Pilot Project.

The applicant has the option of coordinating the Assisted Living Waiver Pilot Project with clinical study/research of topics related to community-based long-term health care and/or specific subgroups related to the target population. The pilot project could be an opportunity for a partnership with another entity for clinical research pertaining to patients with chronic care needs. Examples may include: dementia, diabetes, Alzheimer's Disease, congestive heart failure, hypertension, heart disease, stroke, fractures and/or other conditions which put them at risk of nursing facility placement. If an applicant chooses this option and receives bonus points in this section, the applicant must identify in the proposal the deliverables that will be available to DHS during the contract term. Deliverables submitted by the applicant for this optional work will become part of the Work Plan identified in Exhibit A-Attachment I.

j. Cost section

1) Basic content

The Cost section will consist of the following documents:

- a) Cost Proposal Form (Attachment 8), and
- b) Budget Detail by Year Form (Attachment 8-A).

2) General instructions

- a) All cost forms listed above must be typewritten or completed in ink. Errors, if any, should be crossed out and corrections should be printed in ink or typewritten adjacent to the error. The person who signs the forms should initial all corrections preferably in blue ink.
- b) Do not exceed \$980,000, cumulatively. Applicants who exceed a budget of \$980,000 will be considered unresponsive and will be disqualified.
- c) When completing Attachments 8 and 8-A, include all estimated costs to perform the services for the entire term, including applicable annual rate adjustments attributable to merit increases, profit margins, and inflation or cost of living adjustments, and subcontractor fees.

3) Required Cost Forms

- a) On the Cost Proposal Form (Attachment 8) indicate a dollar amount for each task and deliverable in the Scope of Work and cumulative total cost, for the three year period beginning May 1, 2003 and ending April 30, 2006.
- b) On the Budget Detail By Year Form (Attachment 8-A), indicate the annual cost by task for each budget year and include a total cost.
- c) Please report costs using whole dollars only. Round fractional dollar amounts or cents to the nearest whole dollar amount.

k. Appendix section

Place the following documentation in the Appendix section of your application in the order shown below.

1) Proof of corporate status

If the applicant is a Corporation, submit a copy of your firm's most current Certificate of Status issued by State of California, Office of the Secretary of State. Submit an explanation if you cannot submit this documentation. Unless otherwise specified, do not submit copies of your firm's Bylaws or Articles of Incorporation.

2) Proof of nonprofit status

Nonprofit organizations must prove they are legally eligible to claim "nonprofit" and/or tax-exempt status by submitting a copy of an IRS determination letter indicating nonprofit or 501 (3)(c) tax-exempt status. Submit an explanation if you cannot supply this documentation.

3) An organization chart

The organizational chart must show the lines of authority and reporting relationships within your organization including the relationship between management and subcontractors and/or independent consultants, if any.

- 4) Conflict of Interest Compliance Certificate
 - a) Applicants must submit Attachment 10 and any accompanying documentation consistent with Attachment 10 provisions.
 - b) Attachment 10 will be incorporated into the contract awarded from this RFA and shall be in effect for the entire term of the contract.
 - c) If a conflict of interest is determined to exist that cannot be resolved to the satisfaction of DHS before the award of the contract, the conflict will be grounds for deeming an application nonresponsive.
 - d) In the event that DHS determines at any time during the term of the contract that a conflict of interest situation exists that cannot be resolved to the satisfaction of DHS, the conflict will be grounds for termination of the contract.
- 5) Miscellaneous (optional)

Firms may include their Annual Report or any other publication in the Appendix to describe Agency Capability.

I. Forms section

Complete, sign and include the forms/attachments listed below. When completing the attachments, follow the instructions in this section and any instructions appearing on the attachment. After completing and signing the applicable attachments, assemble them in the order shown below.

Attachment and/or Documentation	Instructions
2 – Required Attachment / Certification Checklist	<ol style="list-style-type: none"> 1) Check each item with “Yes” or “N/A”, as applicable, and sign the form. If necessary, explain your responses. 2) If a applicant marks “Yes” or “N/A” and makes any notation on the checklist and/or attaches an explanation to the checklist to clarify their choice, DHS considers this a “qualified response”. Any “qualified response”, determined by DHS to be unsatisfactory or insufficient to meet a requirement, may cause an application to be deemed non-responsive.
3 – Applicant Information Sheet	Completion of the form is self-explanatory.

Attachment and/or Documentation	Instructions
4 – Applicant Reference Sheet	Identify three (3) clients you have serviced within the past five years that can confirm their satisfaction with your services and confirm if your firm provided timely and effective services or deliverables. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFA. List the most recent first.
5 – RFA Clause Certification	Complete and sign this form indicating your willingness and ability to comply with the contract certification clauses appearing in the RFA section entitled, “Bid Requirements and Information,” subsection “Bidding Certification Causes”.
6 - CCC 201 - Certification	Complete and sign this form indicating your willingness and ability to comply with the Contractor Certification Clauses appearing in this Attachment.
7 - Payee Data Record	Complete and return this form, <u>only</u> if you have not previously entered a contract with DHS. If uncertain, complete and return the form.

J. APPLICATION SUBMISSION

1. General Instructions

- a. Assemble an original and five (5) copies of your application together with your application on a CD Rom. Place the application set marked “Original” on top, followed by the five (5) extra copies and the CD.
- b. Place all application copies in a single envelope or package, if possible. Seal the envelope or package.

If you submit more than one envelope or package, carefully label each one as instructed below and mark on the outside of each envelope or package “1 of X”, “2 of X”, etc.

- c. Mail or arrange for hand delivery of your application to the Department of Health Services, Office of Medi-Cal Procurement. Applications may not be transmitted electronically by fax or email.
- d. The OMCP must receive your application, regardless of postmark or method of delivery, by **4:00 p.m. on Monday, February 10, 2003**. Late applications will not be reviewed or scored.
- e. Label and submit your application using one of the following methods:

Hand Delivery or Overnight Express:	U.S. Mail:
Application RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement 600 North Tenth Street, Room 240C Sacramento, CA 95814	Application RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement P.O. Box 942732 Sacramento, CA 94234-7320

2. Proof of timely receipt

- a. DHS staff will log and attach a date/time stamped slip or bid receipt to each application package/envelope received. If an application envelope or package is hand delivered, DHS staff will give a bid receipt to the hand carrier upon request.
- b. To be timely, DHS' OMCP must receive each application at the stated delivery address no later than 4:00 p.m. on the application submission due date. Neither delivery to the department's mailroom or a U.S. postmark will serve as proof of timely delivery.
- c. DHS will deem late applications non-responsive.

3. Applicant costs

Applicants are responsible for all costs of developing and submitting an application. Such costs cannot be charged to DHS or included in any cost element of an applicant's price offering.

K. EVALUATION AND SELECTION

A multiple stage evaluation process will be used to review and/or score technical applications. DHS will reject any application that is found to be non-responsive at any stage of evaluation.

1. Stage 1 – Required Attachment / Certification Checklist review

- a. Shortly after the application submission deadline, DHS staff will convene to review each application for timeliness, completeness and initial responsiveness to the RFA requirements. This is a pass/fail evaluation.
- b. In this review stage, DHS will compare the contents of each application to the claims made by the applicant on the Required Attachment / Certification Checklist (Attachment 2) to determine if the applicant's claims are accurate.
- c. If deemed necessary, DHS may collect additional documentation (i.e., missing forms, missing data from RFA attachments, missing signatures, etc.) from an applicant to confirm the claims made on the Required Attachment / Certification Checklist and to ensure that the application is initially responsive to the RFA requirements.

- d. If an applicant's claims on the Required Attachment / Certification Checklist cannot be proven or substantiated, the application will be deemed non-responsive and rejected from further consideration.

2. Stage 2 – Narrative Application evaluation/scoring

- a. Applications that appear to meet the basic format requirements, initial qualification requirements and contain the required documentation, as evidenced by passing the Stage 1 review, will be submitted to a rating committee.

The raters will individually and/or as a team review, evaluate and numerically score applications based on the applications' adequacy, thoroughness, and the degree to which it complies with the RFA requirements.

- b. DHS will use the scoring tool in Appendix 1 to assign points. Refer To Appendix 1 for the details of the point value for each specific section.
- c. Below are the point values for each section that will be scored in the narrative application.

Executive Summary	10 Points
Agent Capability	36 Points
Work Plan	42 Points
Management Plan	<u>12 Points</u>
Total Possible Points	100 Points

3. Stage 3 – Program Enhancement section evaluation / scoring

Applicants must achieve a score of 70% or more in Stage 2 in order to be eligible to receive 10 bonus points based on the rating criteria in Section L.

4. Stage 4 – Combining the scores to determine the technical application score

DHS will combine the Narrative Application (Stage 2) score with the Program Enhancement evaluation (Stage 3) score to tentatively identify the firms with the highest technical application score from each of these evaluation stages.

$$\begin{aligned}
 &\text{Narrative Application Score (100 points possible)} \\
 &+ \text{Program Enhancement Score (10 points possible)} \\
 &= \text{Technical Application Score (110 points possible)}
 \end{aligned}$$

5. Stage 5 – Oral Interview

DHS may choose to conduct oral interviews with no more than the top four (4) highest scoring applicants in the Technical Application. DHS may, at its discretion, choose not to conduct oral interviews. The purpose of the oral interview is to assess and/or confirm:

- a. The applicant's understanding of DHS' needs and the overall importance of the project.
- b. The applicant's commitment to provide quality services in a timely manner.
- c. The applicant's willingness and ability to establish effective working relationships with State staff.
- d. The capabilities and strengths of the applicant's management team.
- e. The soundness and strengths of the applicant's approach to accomplish the objectives and manage the project to ensure successful completion of all Scope of Work requirements.

If oral interviews are held, DHS will evaluate the results of each oral presentation on a competitive basis by comparing the oral presentation responses of one applicant to those of another applicant. Applicants will earn up to 25 points for the oral interview stage.

Separate and apart from the patterned questions that will be asked of each applicant in the oral interview, DHS may request clarification of some aspects of the technical application, which will not be scored.

If DHS chooses to conduct oral interviews, the length of each interview should not exceed three hours. DHS anticipates that interviews will be held in Sacramento during the week of March 17, 2003. In addition to the applicant's official authorized representative(s), DHS may request the presence of primary and/or key project personnel to attend the interview. If oral interviews are conducted, DHS will mail or fax the questions and specific interview requirement information to each of the applicants that will participate in the oral interview prior to the oral interview.

6. Stage 6 – Final Score Calculation

DHS will use the formula shown below to calculate the final application scores and to determine the highest scored application.

$$\begin{array}{r} \text{Technical Application Score (110 possible points)} \\ + \text{ Oral Interview Score (25 possible points)} \\ \hline = \text{ Total Point Score (135 possible points)} \end{array}$$

If oral interviews are not held, DHS will determine the highest scoring applicant based on the technical application score.

L. TECHNICAL APPLICATION RATING FACTORS

Raters will use the following criteria to score each applicant's technical application. Stages 2 and 3 will be evaluated to determine each applicant's total technical application score.

Applicants may earn up to 110 points in their technical application. Stage 2 (Narrative Application) offers 100 points possible. Stage 3 (Enhancements) offers an additional 10 points, provided the applicant achieves a score of 70% in Stage 2.

The evaluators will individually and/or as a team review, evaluate and numerically score each application based on the application's adequacy, thoroughness, and the degree to which it complies with the RFA requirements.

Evaluators will use the scoring tool in Appendix 1 to score the applications submitted by each applicant. Refer To Appendix 1 for the details of the point value for each specific section.

Stage 2 – Narrative Application (100 points possible)

Executive Summary Rating Factors (Not to exceed 3 pages)	Points Possible	Points Earned
To what extent did the application express an understanding of DHS' needs and the importance of this project?	2	
To what extent did the application demonstrate the tangible results that it expects to achieve?	2	
To what extent did the application express a sincere commitment to perform this work in an efficient and timely manner?	2	
To what extent did the application demonstrate that it can effectively integrate the project into its' current obligations and existing workload?	2	
To what extent did the application adequately explain why it should be chosen to undertake this project at this time?	2	
Subtotal of Points Earned	10	
Agency Capability	Points Possible	Points Earned
To what extent are the goals of the firm relevant or complementary to this project?	3	
From the description in the application, to what extent does the applicant possess sufficient experience with:		
<ul style="list-style-type: none"> Developing and managing state-level pilot project(s) in California or in other states, which focus on long-term health care and/or publicly funded housing for senior and disabled persons. 	3	
<ul style="list-style-type: none"> Researching and/or developing programs and benefits which meet Medicaid and/or Medicare requirements. 	3	
<ul style="list-style-type: none"> Establishing and maintaining contracts and/or agreements with local and State governments. 	3	

<ul style="list-style-type: none"> Managing project(s) that utilize multiple professionals, such as administrative staff, clinical staff/consultants, auditors, information technology staff, public relations developers, researchers and others. 	3	
<ul style="list-style-type: none"> Working with assisted living facilities and publicly funded health care and/or housing provider agencies in a collaborative manner. 	3	
<ul style="list-style-type: none"> Convening stakeholder forums and workgroups in a variety of cultural and/or socio-economic settings. 	3	
<ul style="list-style-type: none"> Developing and/or implementing quality assurance and improvement protocols in the health care arena; including consumer quality initiatives. 	3	
<ul style="list-style-type: none"> Working with other States or federal agencies on reimbursement methodologies for assisted living under Medicaid. 	3	
Based on a review of the applicant's prior accounts or work projects in the past 3 years, identify previous consultative activities that were similar in nature or closely related to the RFA scope of work.	3	
To what extent did the applicant demonstrate experience establishing and maintaining effective working relationships with government entities and local community based programs?	3	
To what extent did the applicant's prior clients as a whole, confirm their satisfaction with the applicant's past work and ability to deliver timely and effective services and deliverables? <i>See Appendix 4 for reference check questions.</i>	3	
Subtotal of Points Earned	36	
Work Plan	Points Possible	Points Earned
To what extent does the applicant's Work Plan describe in detail the specific activities for each of the eight tasks below? Are each of the required deliverables adequately addressed for each task? <i>(3 points max for each task.)</i>		
<ul style="list-style-type: none"> Develop the federal waiver application. 	3	
<ul style="list-style-type: none"> Develop and finalize the assisted living provider reimbursement methodology and provider payment system. 	3	
<ul style="list-style-type: none"> Design and plan the Assisted Living Waiver Pilot Project, conduct site and provider selection. 	3	
<ul style="list-style-type: none"> Develop and present training sessions and materials for the Assisted Living Waiver Pilot Project providers and staff. 	3	

• Develop and publish the Assisted Living Waiver Pilot Project participant enrollment information.	3	
• Implementation of the Assisted Living Waiver Pilot Project.	3	
• Design and implement a quality assurance and improvement program.	3	
• Contribute to an Assisted Living Waiver Pilot Project evaluation report.	3	
To what extent are the applicant's overall approach and/or method comprehensive and/or technically sound for each of the eight tasks?	3	
To what extent did the applicant offer a rational basis for choosing specific approaches and methods (e.g., proven success or past effectiveness)?	3	
To what extent are the proposed procedures, methods and approaches appropriate and reasonable (i.e, if implemented, are they likely to produce the desired results)?	3	
To what extent will the applicant perform the tasks/activities and functions in a logical order?	3	
To what extent are the proposed performance timelines realistic and achievable?	3	
To what extent does the applicant identify strategies for communication with DHS to obtain approval before proceeding with the eight tasks?	3	
Subtotal of Points Earned	42	
	Points Possible	Points Earned
Management Plan		
To what extent has the applicant demonstrated the capability to effectively coordinate, manage and monitor the efforts of assigned staff including subcontractors and consultants, to ensure that work is effectively completed and timely?	3	
Upon reviewing the applicant's organization chart in the Appendix Section, to what extent is the applicant's organizational structure sound with distinct lines of authority and reporting relationships between management and all staff including subcontractors and consultants?	3	
To what extent does the applicant demonstrate the ability to provide project services under the contract such as clinical, research, actuary, accounting, information management, administrative, policy experts, etc?	3	

To what extent does the applicant describe fiscal accounting processes and budgetary controls that will adequately manage contract funds?	3	
Subtotal of Points Earned	12	
SUBTOTAL NARRATIVE APPLICATION/STAGE 2	100	

Stage 3 – Program Enhancement

Program Enhancements	Points Possible	Points Earned
To what extent does the applicant exceed the minimum requirements of the Scope of Work by suggesting innovation and/or enhancements to achieving the goals of the pilot project as described in Exhibit A? <i>(Award one point for each innovation and/or enhancement up to 5 points max. DHS will determine the extent to which each innovation and/or enhancement is feasible and achievable.)</i>	5	
To what extent does the applicant present in the Work Plan coordination of the Assisted Living Waiver Pilot Project with clinical studies and/or research regarding the community-based management of patients with chronic care needs? Examples may include: dementia, diabetes, Alzheimer's Disease, congestive heart failure, hypertension, heart disease, stroke, fractures and/or other conditions.	5	
SUBTOTAL ENHANCEMENTS/STAGE 3	10	

Subtotal Narrative Application/Stage 2: _____ (100 possible)

Subtotal Enhancements/Stage 3: _____ (10 possible)

TOTAL TECHNICAL APPLICATION SCORE: _____ (110 possible)

M. BID REQUIREMENTS AND INFORMATION**1. Non-responsive applications**

In addition to any condition previously indicated in this RFA, the following occurrences **may** cause DHS to deem an application non-responsive.

a. Failure of an applicant to:

- 1) Meet application format/content or submission requirements including, but not limited to, the sealing, labeling, packaging and/or timely and proper delivery of applications.

- 2) Pass the Required Attachment / Certification Checklist review (i.e., by not marking "Yes" to applicable items or by not appropriately justifying, to DHS' satisfaction, all "N/A" designations).
 - 3) Submit a **mandatory** Conflict of Interest Compliance Certificate in the manner required, if applicable.
- b. If an applicant submits an application that is conditional, materially incomplete or contains material defects, alterations or irregularities of any kind.
 - c. If an applicant supplies false, inaccurate or misleading information or falsely certifies compliance on any RFA attachment.
 - d. If DHS discovers, at any stage of the application process or upon contract award, that the applicant is unwilling or unable to comply with the contract terms, conditions and exhibits cited in this RFA or the resulting contract.
 - e. If other irregularities occur in an application response that is not specifically addressed herein (i.e., the applicant places any conditions on performance of the scope of work, submits a counter application, etc.).
2. Application modifications after submission
 - a. All applications are to be complete when submitted. However, an entire application may be withdrawn and the applicant may resubmit a new application.
 - b. To withdraw and/or resubmit a new application, follow the instructions appearing in the RFA section entitled, "Withdrawal and/or Resubmission of Applications".
 3. Withdrawal and/or resubmission of applications
 - a. Withdrawal deadlines

An applicant may withdraw an application at any time before the application submission deadline.
 - b. Submitting a withdrawal request
 - 1) Submit a written withdrawal request, signed by an authorized representative of the applicant.
 - 2) Label and submit the withdrawal request using one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Withdrawal RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement P.O. Box 942732 600 N. Tenth Street, Room 240C	Withdrawal RFA 02-25852 Department of Health Services Office of Medi-Cal Procurement

Sacramento, CA 94234-7320	Fax: (916) 464-0855 In Office: (916) 323-7456
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- 3) **[For faxed withdrawal requests]** Applicants must call (916) 323-7406 to confirm receipt of a faxed withdrawal request. Follow-up the faxed request by mailing or delivering the signed original withdrawal request within 24 hours after submitting a faxed request.

An originally signed withdrawal request is generally required before DHS will return an application to an applicant. DHS may grant an exception if the applicant informs DHS that a new or replacement application will immediately follow the withdrawal.

c. Resubmitting an application

After withdrawing an application, applicants may resubmit a new application according to the application submission instructions. Replacement applications must be received at the stated place of delivery by the application due date and time.

4. Contract award

a. Contract award

- 1) Award of the contract, if awarded, will be to the responsive and responsible applicant, who earns the highest total score.
- 2) DHS will post a Notice of Award for five (5) working days. DHS expects to post the Notice of Award before the close of business on Monday, March 24, 2003 at the following locations:

Department of Health Services
Contract Management Unit
1800 3rd Street, Room 455
Sacramento, CA 95814

Department of Health Services
Office of Medi-Cal Procurement
600 North Tenth Street, Room 240C
Sacramento, CA 95814

- 3) DHS will mail or fax a written notification and/or a copy of the Notice of Award to all firms that submitted an application.
- 4) DHS will confirm the contract award to the winning applicant verbally or in writing.

b. Settlement of ties

DHS will settle all tied total scores by making an award to the applicant who earns the highest score on their narrative application (e.g., technical application). If narrative application (e.g., technical application) scores are also tied, DHS will settle the tie in a manner that DHS determines to be fair and equitable (e.g., coin toss, lot drawing, etc.). In no event will DHS settle a tie by dividing the work among the tied applicants.

5. Verification of applicant information

By submitting an application, applicants agree to authorize DHS to:

- a. Verify any and all claims made by the applicant including, but not limited to verification of prior experience and the possession of other qualification requirements, and
- b. Check any reference identified by an applicant or other resources known by the State to confirm the applicant's business integrity and history of providing effective, efficient and timely services.

6. DHS rights

In addition to the rights discussed elsewhere in this RFA, DHS reserves the following rights.

a. RFA corrections

- 1) DHS reserves the right to do any of the following up to the application submission deadline:
 - a) Modify any date or deadline appearing in this RFA or the RFA Time Schedule.
 - b) Issue clarification notices, addenda, alternate RFA instructions, forms, etc.
 - c) Waive any RFA requirement or instruction for all applicants if DHS determines that the requirement or instruction was unnecessary, erroneous or unreasonable.
 - d) Allow applicants to submit questions about any RFA change, correction or addenda. If DHS allows such questions, specific instructions will appear in the cover letter accompanying the document.
- 2) To reduce State costs of mailing procurement corrections to persons and entities that do not intend to apply, DHS will mail or fax written clarification notices and/or RFA addenda only to those persons and entities that submit a timely Letter of Intent or make a request for such material as described in Section F.

If DHS decides to extend the submission deadline just before or on the application due date, DHS may choose to notify persons or entities who

submitted a timely Letter of Intent or contacted OMCP as described in Section F of the extension by fax or by telephone. DHS will follow-up any verbal notice in writing by fax or by mail.

b. Collecting information from applicants

- 1) If deemed necessary, DHS may request an applicant to submit additional documentation during or after the application review and evaluation process. DHS will advise the applicants orally, by fax or in writing of the documentation that is required and the time line for submitting the documentation. DHS will follow-up oral instructions in writing by fax or mail. Failure to submit the required documentation by the date and time indicated may cause DHS to deem an application non-responsive.
- 2) DHS, at its sole discretion, reserves the right to collect, by mail, fax or other method; the following omitted documentation and/or additional information.
 - a) Signed copies of any form submitted without a signature.
 - b) Data or documentation omitted from any submitted RFA attachment/form.
 - c) Information/material needed to clarify or confirm certifications or claims made by an applicant.
 - d) Information/material needed to correct or remedy an immaterial defect in an application.
- 3) The collection of applicant documentation may cause DHS to extend the date for posting the Notice of Intent to Award. If DHS changes the posting date, DHS will advise the applicants, orally or in writing, of the alternate posting date.

c. Immaterial application defects

- 1) DHS may waive any immaterial defect in any application and allow the applicant to remedy those defects. DHS reserves the right to use its best judgment to determine what constitutes an immaterial deviation or defect.
- 2) DHS' waiver of an immaterial defect in an application shall in no way modify this RFA or excuse an applicant from full compliance with all application requirements.

d. Correction of clerical or mathematical errors

- 1) DHS reserves the right, at its sole discretion, to overlook, correct or require an applicant to remedy any obvious clerical or mathematical errors occurring in the narrative portion of an application or on the cost proposal forms.
- 2) If the correction of an error results in an increase or decrease in the total price, DHS shall give the applicant the option to accept the corrected price or withdraw their application.

- 3) Applicants may be required to initial corrections to costs and dollar figures on the Cost Proposal Form or a Budget Detail by Year if the correction results in an alteration of the annual costs or total cost offered.
- 4) If a mathematical error occurs in a total or extended price and a unit price is present, DHS will use the unit price to settle the discrepancy.

e. Right to remedy errors

DHS reserves the right to remedy errors caused by:

- 1) DHS office equipment malfunctions or negligence by agency staff,
- 2) Natural disasters (i.e., floods, fires, earthquakes, etc.).

f. No contract award or RFA cancellation

The issuance of this RFA does not constitute a commitment by DHS to award a contract. DHS reserves the right to reject all applications and to cancel this RFA if it is in the best interests of DHS to do so.

g. Contract amendments after award

As provided in the Public Contract Code governing contracts awarded by competitive bid, the DHS reserves the right to amend the contract after DHS makes a contract award.

h. Proposed use of subcontractors and/or independent consultants

Specific subcontract relationships proposed in response to this RFA (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect DHS' right to approve personnel or staffing selections or changes made after the contract award.

i. Staffing changes after contract award

DHS reserves the right to approve or disapprove changes in key personnel that occur after DHS awards the contract.

N. BIDDING CERTIFICATION CLAUSES

1. Certificate of independent price determination

a. The prospective applicant certifies that:

- 1) The prices in this application have been arrived at independently without any consultation, communication or agreement with any other applicant, applicant or competitor for the purpose of restricting competition relating to:

- a) The prices or costs offered,

- b) The intention to submit a bid or application,
 - c) The methods or factors used to calculate the costs or prices offered.
- 2) The prices in this application have not been and will not be knowingly disclosed by the applicant, directly or indirectly, to any other applicant or competitor before the bid/cost application opening date or date of contract award posting, unless otherwise required by law.
 - 3) No attempt has been made or will be made by the applicant to induce any other firm or entity to submit or not to submit an application for the purpose of restricting competition.
- b. Each signature appearing on the documents contained in this application is considered to be a certification by the signatory that the signatory:

Is the person in the applicant's organization that is either responsible for determining the prices offered in this application and/or is designated to complete the application forms on behalf of the applicant, and the signatory has not participated and will not participate in any action contrary to all subsections of paragraph a.

2. Debarment and suspension certification

- a. Please see Exhibit D(F)

3. Lobbying restrictions and disclosure

- a. Please see Exhibit D(F).

O. CONTRACT TERMS AND CONDITIONS

The winning applicant must enter a written contract that may contain portions of the applicant's technical application (i.e., Cost Proposal Form, Budget Detail by Year, Work Plan), Scope of Work, standard contract provisions, the contract form, and the exhibits identified below. Other exhibits, not identified herein, may also appear in the resulting contract.

The exhibits identified in this section contain contract terms that require strict adherence to various laws and contracting policies. An applicant's unwillingness or inability to agree to the proposed terms and conditions shown below or contained in any exhibit identified in this RFA may cause DHS to deem an applicant non-responsible and ineligible for an award. DHS reserves the right to use the latest version of any form or exhibit listed below in the resulting agreement if a newer version is available.

The exhibits identified below illustrate many of the terms and conditions that may appear in the final agreement between DHS and the winning applicant. Other terms and conditions, not specified in the exhibits identified below, may also appear in the resulting agreement. Some terms and conditions are conditional and may only appear in an agreement if certain conditions exist (i.e., contract total exceeds a certain amount, federal funding is used, etc.).

In general, DHS will not accept alterations to the General Terms and Conditions (GTC), DHS' Special Terms and Conditions, the Scope of Work, other exhibit terms/conditions, or alternate

language that is proposed or submitted by a prospective contractor. DHS may consider an application containing such provisions “a counter offer” and DHS may reject such an application as non-responsive.

1. Sample Contract Forms and Exhibits

Exhibit A-1	Standard Agreement (1 page)
Exhibit A	Scope of Work (14 pages)
-Exhibit A-Attachment I	Contractors Work Plan
Exhibit B	Budget Detail & Payment Provisions (3 pages)
Exhibit C	General Terms and Conditions (GTC 201) <i>View or download online at</i> <i>www.ols.dgs.ca.gov/Standard+Language/default.htm</i>
Exhibit D(F)	Special Terms and Conditions (27 pages)
Exhibit E	Additional Provisions (7 pages)
Exhibit F	Contractor's Release (1 page)
Exhibit G	Travel Reimbursement Information (2 pages)

The following Attachments must be completed, signed and returned with the application and placed in the application as indicated in Section I.

Attachment 1	Application Cover Page
Attachment 2	Required Attachment/Certification Checklist
Attachment 3	Applicant Information Sheet
Attachment 4	Applicant Reference Sheet
Attachment 5	RFA Clause Certification
Attachment 6	CCC 201-Certification
Attachment 7	Payee Data Record
Attachment 8	Cost Proposal Form
Attachment 8-A	Budget Detail by Year Form
Attachment 9	Letter of Intent
Attachment 10	Conflict of Interest Compliance Certificate

The following Appendices are included for your information.

Appendix 1	Scoring Tool
Appendix 2A	Data Library Contents and Bibliography
Appendix 2B	Internet Library
Appendix 3	Glossary
Appendix 4	Reference Check Questions
Appendix 5	Driving and Parking Instructions

2. Unanticipated tasks

In the event unanticipated or additional work must be performed that is not identified in this RFA, but in DHS' opinion is necessary to successfully accomplish the scope of work, DHS will initiate a contract amendment to add that work.

3. Resolution of language conflicts (RFA vs. final agreement)

If an inconsistency or conflict arises between the terms and conditions appearing in the final agreement and the proposed terms and conditions appearing in this RFA, any inconsistency or conflict will be resolved by giving precedence to the final agreement.